



General Assembly

January Session, 2005

Substitute Bill No. 6862

* HB06862INS 032405 *

AN ACT CONCERNING VICARIOUS LIABILITY FOR RENTAL CARS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-154a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 (a) Any person renting or leasing to another any motor vehicle
4 owned by [him] the person shall be liable for any damage to any
5 person or property caused by the operation of such motor vehicle
6 while so rented or leased, to the same extent as the operator would
7 have been liable if [he] the operator had also been the owner.

8 (b) The provisions of subsection (a) of this section shall not apply to:

9 (1) Any person, with respect to the person's lease to another of a
10 private passenger motor vehicle, if the total lease term is for one year
11 or more and if, at the time damages are incurred, the leased vehicle is
12 insured for bodily injury liability in amounts of not less than one
13 hundred thousand dollars per person and three hundred thousand
14 dollars per occurrence and the vehicle is not subject to subdivision (2)
15 of this subsection. As used in this section, "private passenger motor
16 vehicle" means a: (A) Private passenger type automobile; (B) station-
17 wagon-type automobile; (C) camper-type motor vehicle; (D) truck-type
18 motor vehicle with a gross vehicle weight rating of less than ten
19 thousand pounds, registered as a passenger motor vehicle, as defined

20 in section 14-1, or as a passenger and commercial motor vehicle, as
 21 defined in said section, or used for farming purposes; or (E) a vehicle
 22 with a commercial registration, as defined in subdivision (12) of said
 23 section. Private passenger motor vehicle does not include a motorcycle
 24 or motor vehicle used as a public or livery conveyance.

25 (2) Any person, with respect to the person's lease to another of a
 26 truck, tractor trailer or tractor-trailer unit with a gross vehicle weight
 27 rating of ten thousand pounds or more if the total lease term is for one
 28 year or more, or the applicable contract term is one year or more, and
 29 if, at the time damages are incurred, the loss or claim is insured by any
 30 combination of coverage through an insurer, as defined in section 38a-
 31 363, in an amount of not less than two million dollars.

32 (c) The provisions of subsection (a) of this section shall not apply to
 33 any person who rents to another a private passenger motor vehicle
 34 under a contract if, at the time damages are incurred, the rented
 35 vehicle is insured by the person who rents the vehicle for bodily injury
 36 liability in amounts of not less than one hundred thousand dollars per
 37 person and three hundred thousand dollars per occurrence, except that
 38 any person who rents a private passenger motor vehicle knowing that
 39 the person renting the vehicle does not have proof of financial
 40 responsibility shall be liable for any damage to a person or property
 41 caused by the operation of such motor vehicle while so rented in an
 42 amount not to exceed five hundred thousand dollars. As used in this
 43 subsection, "private passenger motor vehicle" means a private
 44 passenger motor vehicle, as defined in subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2005	14-154a
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INS *Joint Favorable Subst.*